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THE STUDENT COURT AT DES MOINES  
TECHNICAL HIGH SCHOOL

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A Field Report  
Presented to  
The Graduate Division  
Drake University

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In Partial Fulfillment  
of the Requirements for the Degree  
Master of Science in Education

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by  
Harold Martin Olsen  
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TECHNICAL HIGH SCHOOL

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## TABLE OF CONTENTS

CHAPTER	PAGE
I. INTRODUCTION . . . . .	1
The Problem. . . . .	1
Statement of the problem . . . . .	1
Importance of the study. . . . .	2
Limitations of the study . . . . .	2
Definitions of Terms Used. . . . .	2
The Procedure. . . . .	3
Review of Literature . . . . .	4
II. THE STUDENT COURT AT DES MOINES	
TECHNICAL HIGH SCHOOL. . . . .	24
Introduction . . . . .	24
Student Court 1951-1952. . . . .	24
Student Court 1952-1953. . . . .	25
Student Court 1953-1954. . . . .	26
Student Court 1954-1955. . . . .	27
Student Court 1955-1957. . . . .	28
Student Court 1957-1958. . . . .	31
Student Court 1958-1961. . . . .	31
Student Court 1962-1964. . . . .	33
III. OPINIONS OF ADMINISTRATORS, TEACHERS,	
AND STUDENTS REGARDING THE STUDENT COURT . .	37
Introduction . . . . .	37

CHAPTER	PAGE
Procedures for Gathering Opinions . . . . .	37
Opinions of Personnel Regarding Des	
Moines Technical High School Student	
Court . . . . .	39
Purposes of Student Court . . . . .	39
Administrators. . . . .	39
Teachers. . . . .	40
Students. . . . .	41
Best Features of Student Court. . . . .	43
Administrators. . . . .	43
Teachers. . . . .	44
Students. . . . .	44
Changes in Student Court. . . . .	45
Administrators. . . . .	45
Teachers. . . . .	45
Students. . . . .	46
Conduct of Student Monitors . . . . .	47
Administrators. . . . .	47
Teachers. . . . .	47
Students. . . . .	47
Student Court Case Procedures . . . . .	48
Administrators. . . . .	48
Teachers. . . . .	48
Students. . . . .	49

## CHAPTER

## PAGE

## Student Body's Understanding of Student

Court . . . . . 49

Administrators. . . . . 49

Teachers. . . . . 49

Students. . . . . 50

## Faculty's Understanding of Student Court. . . 50

Administrators. . . . . 50

Teachers. . . . . 50

Students. . . . . 50

## Parents' Understanding of Student Court . . . 51

Administrators. . . . . 51

Teachers. . . . . 51

Students. . . . . 51

## Student Body's Acceptance of Student

Court . . . . . 51

Administrators. . . . . 51

Teachers. . . . . 52

Students. . . . . 52

## Faculty's Acceptance of Student Court.. . . 53

Administrators. . . . . 53

Teachers. . . . . 53

Students. . . . . 53

## Parents' Acceptance of Student Court. . . . 53

Administrators. . . . . 54

CHAPTER	PAGE
Teachers. . . . .	54
Students. . . . .	54
Summary . . . . .	55
IV. SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS . . .	58
Statement of Problem. . . . .	58
Procedure . . . . .	58
Summary . . . . .	59
Conclusions . . . . .	61
Recommendations . . . . .	63
BIBLIOGRAPHY. . . . .	64
APPENDIX A. Des Moines Technical High School	
Student Court Constitution	
September, 1951. . . . .	68
APPENDIX B. Des Moines Technical High School	
Student Court Constitution	
June, 1963 . . . . .	73
APPENDIX C. Interview Questionnaire--Des Moines	
Technical High School Student	
Court. . . . .	79

## CHAPTER I

### INTRODUCTION

One of the organizations through which students are provided with the opportunity to follow the democratic principles laid down by the school is the student court. Although the student court has been in existence for a number of years, work remains to be done in appraising the effectiveness of such an organization.

#### I. THE PROBLEM

Statement of the problem. The purpose of this study was (1) to give an overview of the development of the student court in American high schools to the present time; (2) to determine if there is a legal basis for student judging and administering of justice through the student court; (3) to describe the history and background of the student court at Des Moines Technical High School; (4) to survey student, teacher, and administrator opinion of the student court at Des Moines Technical High School; and (5) to offer recommendations for the improvement of the student court at Des Moines Technical High School.

Importance of the study. One of the functions of the American high school is to provide an opportunity for development toward active participation in the

democratic process. Through the student court, which is very closely associated with the student council, students have valuable experiences in training for democratic citizenship. Student court stresses one of the lesser-emphasized values of democracy, which is that of formulating rules and regulations and obeying such rules and regulations.

Any organization, however worthy it may be, needs to be re-examined periodically to determine in which areas it may be improved. With the approval of the principal of Des Moines Technical High School, this study was undertaken to arrive at workable recommendations for improving the student court at the school. This study may serve as a possible guide for other schools which may seek a basis upon which to appraise the effectiveness of the student court.

Limitations. This study was limited to an appraisal of the activities of the student court at Des Moines Technical High School, insofar as investigation of active student courts was concerned.

## II. DEFINITIONS OF TERMS USED

In this report the following terms have been employed with the following meanings:

student court. The student court is a branch of the student council. It is a formally organized and

officially authorized group of students charged with the responsibility of assisting in maintaining discipline, particularly in out-of-class settings and activities.

student council. The student council is a general central group of students which represents the entire school. It has final responsibility, except for the principal's veto, for the initiation, development, coordination, supervision, and evaluation of all the organizations and activities of the school which, according to the constitution, have been assigned to it.

### III. THE PROCEDURE

The procedure to be used. This research was carried on by using the following procedures. A study was made of the literature related to the development of student courts in American high schools in order to trace the history of the organization to the present time. School law sources were investigated in order to determine if there is a legal basis for student judging and administering of justice through the student court. The minutes of the Des Moines Technical High School Student Council, the Technician, the school newspaper, and the Engineer, the school yearbook, were examined to obtain information on the history and background of the student court at the

school. Personal interviews with Elmer C. Betz, Principal, Edna Bohlman, faculty advisor for the student council, James Drummond, faculty advisor of the student court, and other former student court advisors, were used as a means of gaining additional background material on the student court at the school. An interview questionnaire was developed, validated, and used to survey student, teacher, and administrator opinion of the student court at the school. The data were presented in narrative form. An analysis of the viewpoints of students, teachers, and administrators followed. Conclusions were made on the basis of the findings of the study. Based upon the viewpoints expressed in the survey, the extent to which the student court achieved its stated purposes, the legal aspect of the student court, and the findings from the literature in student government, recommendations were made for improvement of the student court at Des Moines Technical High School.

## V. REVIEW OF LITERATURE

Literature related to the development of student courts in American high schools was surveyed in order to trace the history of the organization to the present time.

The development of the student court in American



high schools actually began with the first instance of student participation in school government. The student council and student court were extremely difficult to separate in the early development of the student participation movement since they were both part of a certain segment of the broader area of student participation in school government. Thus, it was necessary to include a number of references to the student council movement since it was bound together so closely with that of the student court.

Boys of the William Penn Charter School in 1777, desiring to prevent internal quarrels, established a constitution based upon their own authority. An Assembly was chosen every month and was given power to make any laws thought necessary. Judges and other necessary officers were elected by the students. Public trials were held for any rule or regulation offenders. The plan was seemingly successful since fighting and name-calling declined greatly among the boys and courtesy was more widespread.<sup>1</sup>

Another type of school which had considerable influence on the development of the student court idea

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<sup>1</sup>Harry C. McKown, The Student Council (New York: McGraw-Hill Book Company Inc., 1944), p. 5.

was the Lancastrian school. Originated in England by Joseph Lancaster, the Lancastrian school was essentially a system whereby a monitor, generally one of the older pupils, was assigned as an assistant teacher to a small group of younger pupils. As it developed, however, the plan became more involved, using both conduct and teaching monitors. The first Lancastrian school opened in New York City in 1805 and was extended to include New York High School in 1825. Within a few years the Lancastrian movement spread through New England, south to Georgia, and west to Cincinnati, Louisville, and Detroit. Although the monitorial system was outmoded by 1840 because of the state's assuming more responsibility for the schools, it did pave the way for further student participation in school government since it demonstrated that, when properly selected, trained, and supervised, students can handle many of the school's affairs.<sup>1</sup>

Hartford public school, which was organized in 1852, offered the best example of the student court concept in the early history of American high schools. This organization consisted of a council which was organized around the idea of a student court, even to a provision

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<sup>1</sup>Ibid., pp. 4-6.

for the headmaster's veto if any sentences were unjust or unrealistic.<sup>1</sup>

The establishment by William R. George of George Junior Republic of Freeville, New York, in 1894 was really the beginning of a system of self-government. This self-governing community was very closely patterned after the federal system. It was first designed as a summer vacation help for underprivileged children but eventually developed into an all-year plan. For approximately the next twenty years, self-government became the watchword of educators in new methods of school administration rather than student participation in school government.

In 1916 George started a plan to fill the gap between the common dropout age of sixteen and the voting age of twenty-one which was called the "Junior City" of Ithaca, New York. With a mayor, council, and other officials, its organization was very similar to that of the city of Ithaca. The student officials attended meetings of the city council and followed the activities

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<sup>1</sup>The Student Council in the Secondary School  
(Washington: National Association of Student Councils, 1955), p. 3.

of city authorities very closely.<sup>1</sup>

In 1918, Mount Vernon High School, located in Mount Vernon, New York, established one of the best examples of a student court in which the student council as a whole sat as a court. This group worked very effectively with such problems as student misbehavior at high school social functions and the control of the funds of sub-organizations under the student council. This type of student court was limited by the size of the school and the time available to the student council.<sup>2</sup>

A student court separate from the student council was begun at William Penn High School for Girls in 1921. The court consisted of a judge and six assistants, who were all seniors. Anyone who made a charge against a student had to do so in writing and appear at the trial. The accused student was represented by counsel who reported on the accused's good qualities, academic record, and other favorable aspects. The record of any punishment that was decreed was placed on the student activities card, which was a threat to the girls since reference

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<sup>1</sup>McKown, op. cit., pp. 7-8.

<sup>2</sup>Paul W. Terry, Supervising Extra Curricular Activities (New York: McGraw-Hill Book Company Inc., 1930), pp. 118-119.

was made to this record when recommendations were needed. Emphasis was placed upon improving the character of the individual, not upon punishment for its sake.<sup>1</sup>

Francis W. Parker School of Chicago in 1924 established a student court which illustrated the judge and jury type of court. The judge and assistant judge, or clerk, were elected by the assembly, or student council, for a term of one semester. The judge presided over the court, advised the jury, and could veto its decisions. His veto in turn could be overruled by a three-fourths vote of the jury. The judge also issued the summons, which stated the charge, and approved the minutes. The assistant judge kept the minutes, recorded cases, sent out notices to informing officers, and took receipts from them showing that sentences had been carried out. The jury consisted of eight members, two from each of the four classes, who served for one month. The faculty advisor was elected by the faculty and at the last assembly in each month the judge drew by lot from class boxes the names of the jurymen for the following month. The jury judged the cases on their individual merits and in the light of precedents established in previous

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<sup>1</sup>Ibid., pp. 120-121.

cases.<sup>1</sup>

In some schools it was necessary to organize a supreme court. In Eastern High School of Detroit, Michigan, a supreme court was established in 1925, to which any pupil who had been sentenced by the student court could appeal his case. It was necessary, however, that he show just cause for appeal and gain the approval of the principal. The supreme court consisted of certain members of the faculty and officers of certain student organizations and was presided over by the principal. It could review a case that had been appealed and concur, demand a retrial, acquit, call in the parents for consultation, or recommend suspension or expulsion. The principal was a supreme court in the sense that the decision of the student court was subject to his approval.<sup>2</sup>

William McAndrew, former superintendent of schools in Chicago, in 1930 stated that he had had student participation in school government, including the student council and student court, in every school he had worked for forty years. McAndrew maintained that student participation was successful in that it fostered responsibility,

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<sup>1</sup>Ibid., p. 121.

<sup>2</sup>Ibid., p. 122.

honesty, and consideration for the general welfare. McAndrew was one of the early leaders in restoring the original concept of student participation in school government as opposed to the idea of student self-government, which William R. George and his followers had fostered during the first two decades of the twentieth century. Along with Elbert C. Fretwell, Harry C. McKown, Earl C. Kelly, Paul E. Flicker, and Gerald M. Van Pool, McAndrew fought for this idea through talks, editorials, articles, and personal contacts.<sup>1</sup>

C. T. Feelhaber's study in 1932 was important in revealing the status of the student court in American high schools at that time. The jurisdiction of the student courts ranged all the way from cases arising from extra-curricular activities to those arising in the classroom where teachers were in charge. In regard to organization, the following classes of student courts were in existence: (1) those in which the whole student council acted as a court, (2) those in which a part of the governing body acted as court, (3) those in which the duty was placed in the hands of pupils selected from

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<sup>1</sup>The Student Council in the Secondary School  
(Washington: National Association of Student Councils, 1955), p. 4.

the student body, and (4) those in which the duty was placed in the hands of the homeroom, class, or section members. The number of judges ranged from one to fifteen. The majority used three or more judges, indicating an attitude of safety in numbers. Courts with a large number of judges generally used no juries. Mostly the judges were selected in an election by the entire student body. Courts with only one or two judges generally made use of juries. The juries usually were utilized when the defendant pleaded not guilty. Primarily the juries were only for particular cases. Juries ranged from five to nine members and a two-thirds or three-fourths majority were required to convict an offender. In most of the cases studied, all the pupils and teachers could report cases for trial, but in many instances the report had to be made through a student council member. As far as the time of court sessions were concerned, most of the courts met once a week or whenever needed. The frequency of meetings, in most cases, depended upon the jurisdiction of the courts and the number of cases handled. In the majority of the cases studied, the work of the court was to determine guilt or innocence and to give penalties when needed. There was a marked tendency to conform to court practices as we know them. Little evidence was found that constructive



work in pupil adjustment was being carried on. The penalties administered were quite varied, but detention hall was most common. Other penalties included the following: demerits, demands for apologies, lower marks, denial of awards, demotion from honor, removal from office, suspension from activities, assignment of menial tasks, suspension from school, exclusion from assembly, assignment of memorization, and requirement of pupils to bring their parents to settle difficulties. School authorities stated that a close check should be kept on the court's activities. Most of the decisions required the principal's approval. Most principals or court sponsors visited the court frequently or held weekly meetings with court officials. All stated that student court has some possible evils, and that, directly or indirectly, the court must be supervised and guided.<sup>1</sup>

The information available showed that eighty-one per cent of the schools that responded to the questionnaire of April, 1939, issued by the National Association of Secondary-School Principals, had some form of student participation in school government. Of the 1,985 schools

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<sup>1</sup>C. T. Feelhaver, "Student Court," School Review, XL (May, 1932), 357-360.

which reported, 1,608 reported active systems of student participation and 379 had none.<sup>1</sup>

A successful student court was organized at Princeton, New Jersey High School in 1944. A court committee, composed primarily of students, developed the original purposes and possible procedures of a court and submitted this to the student body for approval. The purposes were to administer justice to all the pupils of Princeton High School and to maintain the general dignity and efficiency of the school. The court organization consisted of a chief justice; four judges, two from the senior class and two from the junior class; a clerk; a court stenographer; a bailiff; a prosecutor for the school with two assistants; a post-graduate attorney; twelve attorneys, three from each of the four classes in the senior high school; and one faculty advisor. Three judges served at each trial, one senior judge, one junior judge, and the chief justice, who was always a senior. These officers were all chosen by the new student council in its first fall meeting. Any pupil or teacher could file a complaint with the clerk of the court. If the defendant pleaded guilty, the chief

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<sup>1</sup>The Student Council in the Secondary School  
(Washington: National Association of Student Councils,  
1955), pp. 4-5.

justice and two judges conferred on the case, met with the advisor for his approval of the decision, and passed down the decision on the following school day. When the defendant pleaded not guilty, the prosecution and the defense each presented full arguments and summations, backed up by witnesses. Typical punishments included the following: removing the defendant from an activity, depriving him of special privileges, serving detention after school, directing the defendant to write a theme on a subject relating to the offense, or in very serious cases, recommending to the principal that the defendant be suspended from school. Court was held during an activities period in the school day and visitors were admitted, except in cases in which the visitor's behavior was unbecoming to the dignity of the court. By being impartial and exercising fair use of penalties, the court earned the respect of pupils, faculty, and the community. Orville T. Spessard, faculty advisor, expressed his opinion on the value of the student court:

The student court is a laboratory for getting the practical workings of democracy into the experience of the pupils. The twenty-four members of the court learn to analyze charges, to present the case for the school, to plan a defense, to hear and weigh evidence, to look at both sides of a question, to render an impartial decision, to temper justice with mercy and to exercise guidance

where it is most needed.<sup>1</sup>

A. A. Schmuller in 1949 described the successful formation, organization, and functioning of a student court or "Panther Court" as it was called at Union High School in Redmond, Oregon:

Our results here have demonstrated that student government is workable, and perhaps a ready answer to many serious problems of behavior and response. Youth has been no bar to student government....The entrusting fear of self-government materialized a very latent fact, that youth sometimes takes more heartily to discipline meted out by fellow students than by adult authority.<sup>2</sup>

On the other hand, Gerald M. Van Pool, also in 1949, stated that the student council was never intended to be a police department or a court. Therefore, if punishment and penalties were to be imposed, the faculty or principal should do it. The student council should have a positive program of educational citizenship activities and character building and should not concern itself with punishing those who have broken school rules.<sup>3</sup>

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<sup>1</sup>Orville T. Spessard, "School Council," Clearing House, XVIII(February, 1944), 347-349.

<sup>2</sup>A. A. Schmuller, "Panther Court," School Activities, XXI(September, 1949), 12.

<sup>3</sup>Gerald M. Van Pool, "Student Court vs. Student Council Policy," Clearing House, XXIII(March, 1949), 399.

Margaret Stucki described an extremely interesting example of how a student court was formed at Southwest High School in St. Louis, Missouri, in September, 1949, because of a genuine-felt need on the part of the student body to deal with a wave of vandalism at the school. A group of boys proposed that if they could catch the culprits, they should be allowed to deal with them without reporting them to the office. They sought and received approval to establish a student court and have the boys face a jury of their peers. The court was organized originally to halt the vandalism which was very demoralizing to the student body. Its objectives, however, became more far reaching as it developed. The court was successful in giving students a sense of responsibility for their own conduct and a spirit of loyalty to their own school, since they had a share in the responsibility for maintaining law and order in it.<sup>1</sup>

A recent study of student council activities in our secondary schools was conducted by the National Association of Student Councils in 1952. Of the 6,555 high schools which replied to the questionnaire, 5,077

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<sup>1</sup>Margaret Stucki, "Student Court: It Quells Outbreak of Vandalism," Clearing House, XXV(October, 1950), 97-99.

indicated that they had an active and definitely organized student council. The administrators reported ten years as the median number of years their student council had been in existence.<sup>1</sup>

Johnston and Faunce in 1952 described the following conditions as being essential if a student court was to be successful:

1. Faculty and students should participate together, without domination by either.
2. The function should be a specific one--for example, cafeteria control.
3. The motive should be advice, understanding, and help rather than punishment or revenge. Emphasis should be positive rather than negative.
4. The court must have the respect of students and faculty.
5. The judicial function should not be confused with the legislative function, which is the normal sphere of the school council.
6. The organizational plan should be simple and functional.<sup>2</sup>

MacLeod in 1954 described an instance of the successful operation of a student court at North Phoenix High School in Phoenix, Arizona. Founded in 1944, the student court was called the Honor Court in this school. It was originally set up to save teachers' and

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<sup>1</sup>The Student Council in the Secondary School (Washington: National Association of Student Councils, 1955), p. 5.

<sup>2</sup>Edgar G. Johnston and Roland C. Faunce, Student Activities in Secondary Schools (New York: The Ronald Press Company, 1952), p. 34.

administrators' time by having students share the problem of discipline in the school. All students upon entering North High were placed on the Citizenship Honor Roll on the assumption that they agreed to live up to the Honor Code of Conduct. Violations of the Honor Code by students on the Honor Roll were reported either by members of the school staff or by student officers. A court trial then followed and appropriate action was taken. The main function of the Honor Court was in the effective manner in which a student was counseled and, if necessary, reprimanded by his peers. The court provided excellent training for adult life.<sup>1</sup>

One of the most comprehensive statements of the aims and purposes of any worthwhile student organization, including the student council and student court, was written by Van Pool in 1955. According to Van Pool, the following objectives were of paramount importance:

- (1) to encourage the practice of good citizenship, (2) to provide a training ground for both leaders and followers, (3) to provide a laboratory of citizenship in which students may learn to be good citizens by doing the things which a good citizen does, (4) to interest students in school

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<sup>1</sup>Kenneth M. MacLeod, "Jury of His Peers," School Executive, LXXIII(August, 1954), 56.

affairs, (5) to promote the common good, (6) to help solve problems that arise in the school, (7) to give students practical knowledge about a democracy, (8) to promote better understanding between students and faculty, (9) to give students a share in the management of the school, (10) to uphold the traditions of the school, (11) to help each student reach his maximum development, (12) to maintain rules of good order, (13) to create better school spirit, (14) to insure high regard for law and order, and (15) to develop high ideals of personal conduct.<sup>1</sup>

In 1957 Schroder wrote of a successful experiment in the group pressure method of student self-discipline at San Benito County High School in Hollister, California. During the 1953-1954 school year, a student boys' organization established an all-boy council of seven members to handle male discipline problems arising on the school campus at noon and before and after school. The group formed the following fundamental policies which were found to be of considerable value in the solution of discipline problems:

1. The power of group pressure must be a product of a healthy school spirit. Such a spirit must emanate by example in self-restraint from the top administrator through the teachers to the youngest student.

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<sup>1</sup>The Student Council in the Secondary School  
(Washington: National Association of Student Councils, 1955), pp. 7-8.



2. The students must be guided by adults in adopting desirable basic principles of behavior. Young men of teen age should not be expected to counsel their peers without some form of guidance for procedure.
3. Students must be given freedom in deliberations. The council must be carefully chosen so that freedom of conducting their own proceedings can be confidently granted them, subject to the screening of the principal's office.
4. The role of guidance rather than reprimand and punishment is the key to success. The effect of penalties is that they build resentment and destroy the will for self-discipline. The council should convince an offender that his actions are not only harmful to him as an individual but also decidedly unpopular with his peers.<sup>1</sup>

McKown in 1959 stated a number of dangers and weaknesses of the student court. It may (1) deal too harshly with offenders, (2) stir up hatreds, (3) challenge violations, (4) promote the development of petty politics, (5) obscure the main issues, (6) arouse parents' antagonism, (7) give improper publicity in the school and community, (8) make mountains out of molehills, and (9) underemphasize the other functions of the council.<sup>2</sup>

As recently as August, 1963, the writer was informed of the current attitude of the National Association

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<sup>1</sup>Ralph Schroder, "Experiment in Student Self-Discipline," National Association of Secondary School Principals Bulletin, XLI (November, 1957), 72-74.

<sup>2</sup>Harry C. McKown, Extracurricular Activities (New York: The Macmillan Company, 1959), p. 88.

of Student Councils toward the student court concept in American secondary schools. In a written communication received by the writer from Gerald M. Van Pool, Director of Student Activities of the National Association of Secondary School Principals, the following statement was made:

We do nothing to encourage the development of student courts, but do everything possible to eliminate this undemocratic organization from our schools.

The law of Iowa specifically limits disciplinary authority within its school systems. The primary authority rests in the Board of Education,<sup>1</sup> who may in turn delegate the power to temporarily dismiss a student upon any, or presumably all, teachers, principals, or superintendents.<sup>2</sup> The right to permanently exclude incorrigible students, or "those whose presence in school may be injurious to the health or morals of other pupils or to the welfare of such school" remains only with the Board.<sup>3</sup> Such action requires only a majority vote to expel a student for

immorality, or for a violation of the regulations or rules established by the Board, or when the

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<sup>1</sup>Section 279.8, Code of Iowa (1962)

<sup>2</sup>Section 282.4, Code of Iowa (1962)

<sup>3</sup>Section 282.3, Code of Iowa (1962)

presence of the student is detrimental to the best interests of the school.<sup>1</sup>

Because the law is specific, ad hoc powers authorizing those not enumerated may not be assumed. Thus, a student court, although it may be delegated the responsibility to act in an advisory capacity in disciplinary matters, may not be vested with the authority of implementing disciplinary measures. In reality, therefore, there is no legal basis for the student court in the state of Iowa.

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<sup>1</sup>Section 282.4, Code of Iowa (1962)

## CHAPTER II

### THE STUDENT COURT AT DES MOINES TECHNICAL HIGH SCHOOL

#### I. INTRODUCTION

This chapter relates the history of the student court at Des Moines Technical High School. Sources utilized in this division of the study included the Minutes of the Des Moines Technical High School Student Council; The Engineer, the school yearbook; The Technician, the school newspaper; E. C. Betz, Principal; Edna Bohlman, student council advisor; Eino Tuomi, 1952-1953 student court advisor; Allen Clement, 1953-1954 student court advisor; Harlan Boyce, 1955-1957 student court advisor; Alfred Thomas, 1958-1961 student court advisor; and James Drummond, 1962-present student court advisor.

#### II. STUDENT COURT 1951-1952

Under the leadership of E. C. Betz, Principal, R. M. Anderson, Vice-Principal, and J. O. Smith, the original student court faculty advisor, the student council of Des Moines Technical High School established, in September of 1951, the Des Moines Technical High School Student Court. After study of similar documents from other schools and after a great deal of discussion, the

student council adopted the first constitution for the newly-established Des Moines Technical High School Student Court.<sup>1</sup>

### III. STUDENT COURT 1952-1953

Because of the inability of J. O. Smith to continue his work as student court advisor, Eino Tuomi was appointed to this position in September of 1952. The Technical High Student Court met every Friday morning and dealt with cases concerning:

1. Misconduct in assemblies
2. Unauthorized presence in the hall during classes
3. Running, playing tag, wrestling, etc. in the halls
4. Fighting in the halls or in the lunch room
5. Any breach of good conduct which directly affected the dignity or honor of Des Moines Technical High School.<sup>2</sup>

One of the main problems which Tuomi experienced during this school year was the failure of students to come to court when issued a summons. This problem was alleviated, however, after Betz and Anderson had reprimanded a number of students who were guilty of this offense.

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<sup>1</sup>News item in The Warrior, June, 1952, no page number indicated.

<sup>2</sup>News item in The Technician, November 6, 1952, p. 1. Des Moines Technical High School.

The common procedure which was followed during this school year included the following steps:

1. The monitor issued the offending student a student court summons.
2. A copy of each summons was sent to the faculty advisor.
3. From these summonses, a court calendar was developed before each court meeting.
4. The chief justice and the other judges then heard both sides of each case.
5. While the offending student was out of the courtroom, a discussion was carried on in regard to the merits of the case.
6. With the advice of the court advisor, the chief justice then pronounced the defendant as either guilty or not guilty.
7. If the student was declared guilty, the chief justice dealt out the punishment, which generally involved such things as picking up waste paper in the halls or lunch room or serving time in detention hall.

Tuomi's concept of the main value of the student court was that it gave the student an opportunity to be judged impartially by his peers rather than by school authorities. Student court also offered an opportunity for actual participation in the democratic process. In general, Tuomi stated that the students respected the court's judgment and the court did its job well.<sup>1</sup>

#### IV. STUDENT COURT 1953-1954

According to Allan Clement, student court advisor,

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<sup>1</sup>Eino Tuomi, 1952-1953 student court advisor at Des Moines Technical High School. Permission to quote secured.

the main purpose of the student court during the 1953-1954 school year was to provide a better school for the students to attend during their high school career.

In order to convince the student body of the value of the student court to the school and of its integrity, the advisor emphasized the importance of fairness in all court decisions. Clement stated that the student court benefited the individual court member in his ability to think and his ability to form judgments of character. In addition to these values, the court aided the individual to separate important facts from unimportant details.

In spite of the fact that the student court advisor had no part in the selection of the court and its officers, Clement stated that the court was generally successful in achieving its stated objective.<sup>1</sup>

#### V. STUDENT COURT 1954-1955

During the 1954-1955 school year, Phillip Ballou served as faculty advisor for the Des Moines Technical High School Student Court. The faculty advisor of the

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<sup>1</sup>Allen Clement, 1953-1954 student court advisor at Des Moines Technical High School. Permission to quote secured.

student court also was placed in charge of the hall monitors during this school year. This provided an opportunity for closer coordination of the activities of these two organizations.<sup>1</sup>

## VI. STUDENT COURT 1955-1957

Under the leadership of Harlan Boyce, faculty advisor, and Joyce Tromblee, whom Boyce considered as one of two superior chief justices during his time as advisor, the 1955-1956 student court adhered to the following courtroom procedure:

1. The court clerk called in the defendant and the court heard his story.
2. Then the plaintiff was called in and the court heard his story.
3. Then both the defendant and the plaintiff left the room.
4. At this time, if there were questions, either or both were recalled into the courtroom.
5. The court then discussed the case and determined if the defendant was guilty or not.
6. If a previous personality conflict between the monitor and the defendant entered into the case at hand, the monitor himself was penalized in various ways.<sup>2</sup>

Boyce stated that Terry Shoemaker was another outstanding chief justice of the Des Moines Technical High School Student Court. During Terry's time as chief

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<sup>1</sup>News item in The Engineer, June, 1955, p. 61.  
Des Moines Technical High School

<sup>2</sup>News item in The Technician, December 20, 1955,  
p. 2. Des Moines Technical High School



justice, which was the spring semester of 1956, progress was made toward achieving the primary objective of the student court as conceived by Boyce. This goal was to serve as the judicial body to enforce effectively the rules which the student council set up.<sup>1</sup>

The following rules of conduct were put into effect by the student council during the fall semester of 1956:

1. No running in the building at any time.
2. No unnecessary noises in the halls at any time.
3. Keep to the right at all times.
4. No eating in the halls. All wrappers and waste of other sort is to be deposited in waste containers.
5. No unnecessary roughness, including wrestling, pushing, water fights, scuffling, etc.
6. No students in the halls during classes without pink passes.
7. The west vestibule and the steps to the auditorium stage are prohibited areas.
8. Students are to remain on the third floor during the first twenty minutes of their lunch hours.

Anyone who violated these rules was given a summons to appear before the student court.<sup>2</sup>

In one unusual case which occurred during Boyce's term as faculty advisor for the court, one girl was expelled permanently from school because of repeated failure to appear for court trials and because of profane language which was considered unbecoming to a female

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<sup>1</sup>Harlan Boyce, 1955-1957 student court advisor at Des Moines Technical High School. Permission to quote secured.

<sup>2</sup>News item in The Technician, December 5, 1956, p. 2. Des Moines Technical High School.

student of Des Moines Technical High School.

In regard to qualities which he considered as essential to the success of student court judges, Boyce stated that they were to be exemplary in personal behavior before becoming judges. In addition to this, they were to behave as mature young people at all times after accepting this position. If frivolity were permitted to prevail in court procedure, the dignity of the court, from the viewpoint of the defendant, would be seriously impaired and the overall effectiveness of the court would be reduced.

Other aspects which Boyce stated as having stressed in particular during his time as court advisor, which lasted until June of 1957, included the following:

1. There was a general tightening up process in court procedure, even a more formal arrangement of the courtroom itself.
2. More mature behavior was evident in courtroom procedure.
3. The faculty advisor was present at all meetings.
4. The faculty advisor generally remained aloof from the proceedings if progress was being achieved and he did not interfere unless asked to do so.
5. In-service training sessions for court members were conducted before each new court was installed and also before many court meetings.<sup>1</sup>

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<sup>1</sup>Harlan Boyce, 1955-1957 student court advisor at Des Moines Technical High School. Permission to quote secured.

## VII. STUDENT COURT 1957-1958

With the selection of Phillip Ballou as faculty advisor of the student court for the 1957-1958 school year, special emphasis was placed upon getting new ideas for the punishment of those convicted of school offenses.<sup>1</sup>

## VIII. STUDENT COURT 1958-1961

With the resignation of Phillip Ballou, Alfred Thomas took over the duties of faculty advisor for the Des Moines Technical High School Student Court in September of 1958. During the time which Thomas served as advisor, one particularly unusual case occurred. The defendant in a certain student court case conducted his own defense in such a well-organized and effective manner that, in spite of his apparent guilt, the prosecution was so ineffective that the student was acquitted in the case.

Special emphasis was placed upon fitting the punishment to the offense. In a number of instances, the court would decide upon tentative punishments which were quite severe and the advisor would suggest alternative courses of action for the court. In no case, however, did the

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<sup>1</sup> News item in The Technician, March 21, 1958, p. 1. Des Moines Technical High School.

advisor attempt to reverse the decision of the court. With the placing of the chief justice in virtually complete charge of court proceedings, the defendants took the court quite seriously and effort was aimed at maintaining the dignity of the court at all times. After repeated instances of contempt of court, an interview was arranged with the principal, Betz, and this solved the problem in every case.

Thomas' concept of the main purpose of the student court was to enable the students to adhere to the rules of conduct of the school and to make them aware of their responsibility in the area of discipline. The penalties imposed, therefore, were aimed at modifying the undesirable behavior pattern of the offender. Rarely did the court deal with repeat offenders for the same offense and in few cases did the court judge repeaters for any offense.

The primary value of the student court, according to Thomas, was to place the student before his own peer group for impartial judging. Thomas stated that a sound monitor system was essential to the successful functioning of the student court. The monitor system also was rendered more effective by the backing up of the monitors in their issuing of student court summonses.

The major problem during Thomas' tenure as advisor was the lack of time to perform court duties adequately,

because the court sessions were only one-half hour in length every Wednesday morning.<sup>1</sup>

#### IX. STUDENT COURT 1962-1964

James Drummond was appointed to the position of advisor for the Des Moines Technical High School Student Court in January of 1962. Drummond believed that the approach to the court on the part of all concerned should be more serious with more formality in court proceedings. The new advisor also stressed closer adherence to the rules of conduct as set up by the student council and to the constitution of the court. Particular emphasis was placed upon constant re-examination of the student court constitution to insure that the rules of procedure were conducive to effective court operation.

In regard to the purposes of the student court as conceived by Drummond, the court was an organization in which the student was made aware of some of the various functions of a democratic society through actually participating in an organization which emphasized these processes. Thus, the student was given on-the-job training in such things as administering justice, listening to

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<sup>1</sup>Alfred Thomas, 1958-1961 student court advisor at Des Moines Technical High School. Permission to quote secured.

both sides of a question, engaging in critical thinking on his own, learning to deal with other people, and participating in the government of his school. Definite limits were placed upon the scope of the student court's power and final authority ultimately rested with Betz, Principal.

A major revision of the original student court constitution was begun during the spring semester of 1963. Bob Standley, a student who expressed great interest in participating in such a project, was appointed chairman of a joint student council-student court committee which worked intensively on an overall revamping of the constitution. Under the guidance of Drummond, student court advisor, and after study and discussion of student court constitutions of other schools, the committee finished a new constitution before school was dismissed for the school year in early June.<sup>1</sup> The new Des Moines Technical High School Student Court Constitution is included in Appendix B.

The rules of conduct for Des Moines Technical High School students have also undergone revision since

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<sup>1</sup>James Drummond, 1962-present student court advisor at Des Moines Technical High School. Permission to quote secured.

the student council adopted the set of rules during the fall semester of 1956. One of the main reasons for the revision was the relocating of Des Moines Technical High School from its quarters at old West High School to the building at 1800 Grand Avenue, which was formerly the Solar Aircraft Company location. This change resulted in the adoption of the following rules of conduct which are currently in effect:

1. Running in the building at any time is prohibited.
2. Unnecessary noises in the halls at any time will not be tolerated.
3. Keep to the right at all times.
4. Students must confine their eating to the lunch room. All wrappers and waste of other sort is to be deposited in waste containers.
5. There must be no breach of good conduct which would affect the dignity or honor of Des Moines Technical High School.
6. Students in the halls during classes must have passes. These passes are to be signed by the monitor indicating the monitor's post.
7. The administrative offices on first floor are prohibited areas for unauthorized students.
8. Students are to remain on second floor between the east end of the lunch room and the library, in the office area, in the Student Center, or in the cafeteria during lunch periods.
9. Students must obey monitors at all times.<sup>1</sup>

Drummond stated that the student court has encountered a number of problems which it is currently attempting to work out. One of these is the ever-present obstacle of lack of time in which to perform adequately

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<sup>1</sup>Des Moines Technical High School Rules of Conduct

the duties of the court. Another problem, according to Drummond, is the lack of a careful definition of the extent of the student court's authority and its relationship to the student council.

All in all, Drummond's evaluation of the student court during his time as advisor was that no court approached perfection. The student court, however, is under constant scrutiny and is both learning from its errors and adapting itself to changes in order to perform more effectively the purpose of the student court as stated in the constitution which is to "...improve student conduct in the halls, assemblies, and on the grounds, by democratic methods."<sup>1</sup>

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<sup>1</sup>James Drummond, 1962-present student court advisor at Des Moines Technical High School. Permission to quote secured.



### CHAPTER III

#### OPINIONS OF ADMINISTRATORS, TEACHERS, AND STUDENTS REGARDING THE STUDENT COURT

##### I. INTRODUCTION

The purpose of this chapter was to report student, faculty, and administrator opinion of the Des Moines Technical High School Student Court from information gathered by interviews with members of Des Moines Technical High School.

##### II. PROCEDURES FOR GATHERING OPINIONS

The interview questionnaire was developed by the writer. The specific items contained in the questionnaire were based upon first-hand observation of the student court in action and from individual conferences with the student court advisor, James Drummond, the student council advisor, Edna Bohlman, and members of the student court, student council, and student body. After the questionnaire was developed, it was validated by testing out the individual items with several students of Des Moines Technical High School. It was then used to survey student, teacher, and administrator opinion of the student court.

The principal, vice-principal, and girls' advisor were interviewed to reflect the opinion of the school administration. In order to obtain a cross-section of the faculty of approximately one hundred members, every tenth teacher on the faculty roster was selected to be interviewed. Because of the limiting factors of time available to the writer and necessary economy in the demands placed upon the time of the students to be interviewed, a selected sample was used in determining the students to be interviewed. Sixteen seniors, sixteen juniors, and sixteen sophomores were included in the survey, or a total of forty-eight students. Eight of the sixteen students selected from each grade level were boys and eight were girls. In order to make the final selection, then, the name of every one-hundredth girl was selected from the senior list of girls until the necessary number was selected. The same procedure was followed for the senior boys, junior girls, sophomore girls, and sophomore boys until all forty-eight students were selected.

The interviews with the administrators, teachers, and students were, of necessity, conducted at any time which was most convenient for the person involved. Most of the interviews were conducted before and after

school and during the writer's daily planning period. The interview atmosphere was quite informal and every attempt was made to obtain candid and truthful responses. Depending upon the individual involved and the time needed to establish rapport between the interviewer and the person interviewed, the typical session lasted from fifteen to twenty-five minutes.

### III. OPINIONS OF PERSONNEL REGARDING STUDENT COURT

#### Purposes of Student Court

Administrators. One of the administrators stated that the court's main purpose was to give the students a share in the control of disciplinary problems of the school. Another said the court's chief aim was to handle infractions of the school rules as reported by student monitors. The third school administrator believed that the court's main objective was to develop a better understanding by the student body of the problems inherent in administering corrective discipline in a large high school such as Des Moines Technical High School.

These replies indicated no particular pattern in the opinion of the school administrators toward the main purpose of the student court.

Two of the administrators stated that the most

important sub-purpose of the student court was to give the students experience in administering discipline. Other purposes mentioned by the administrators included the following: to give students actual experience in democratic living, to give students a larger share in school government, to instill greater respect for the post of monitor, and to be an effective organization for the enforcement of the disciplinary policies of the school as adopted by the student council.

These replies indicated that the administrators viewed the student court as an organization which had a number of sub-purposes which were of merit, but the most important sub-purpose was to give students valuable experience in administering discipline.

Teachers. The responses of the faculty to this question were quite varied. Three of the respondents stated that the main purpose of the student court was to give the students practice in self-government. Three others replied that the court's main goal was to keep order in the school. Two others believed that the court's chief objective was to serve as the judiciary body for the student council. One of the faculty members stated that the court's main goal was to give students (the judges) experience in listening, observing, thinking, and weighing

both sides of a case before arriving at a decision. A tenth faculty member believed that the court's chief aim was to handle those infractions of the school rules not handled by the administration.

On the part of the faculty, the most frequently mentioned sub-purpose (six times) of the student court was to give the students experience in administering discipline. Purposes which were mentioned two times each included the following: to develop character in the students, to develop leadership qualities in the students, and to give the students actual experience in democratic living. Other responses to this question included: to give the students a larger share in school government, to give students a working knowledge of judicial procedures, and to relieve the administration of some disciplinary problems. One faculty member did not have a knowledge of the other purposes of the student court.

Thus, the responses of the faculty members seemed to indicate that the most important single sub-purpose of the student court was to give the students experience in administering discipline, which was in agreement with the view of two of the three administrators.

Students. Student opinions on this question were

also quite varied. Twenty-two of the students, or forty-six per cent, answered that the student court's main purpose was to improve student conduct. Ten of the students, or twenty-one per cent, said the court's chief aim was to enforce school rules. Five of the students (ten per cent) stated that the court's primary goal was to give students experience in self-government. Five more of the students (ten per cent) did not know the court's main purpose. Two of the students, or four per cent, responded that the court's chief job was to make Des Moines Technical High School a better place to attend school. Two others (four per cent) mentioned the primary aim as influencing the students into proper behavior through peer group pressure. Other purposes stated by single students included "to keep order in the school" and "to determine guilt or innocence."

In regard to the sub-purposes of the student court, student responses were quite varied. The most frequently-given response (sixteen times) was "I do not know." Thirteen of the students stated that a sub-purpose of the student court was to improve student conduct. Seven of the students believed that the court's secondary objective was to enforce the school rules of conduct. Objectives mentioned by four students

each as being "other" purposes of the student court were: to prepare students for judicial responsibility, to give the students an opportunity to be tried by their peers, and to improve the standing of the school from the viewpoint of other schools. Other responses included the following: to aid in developing student leadership, to give students a larger share in school government, to relieve the administration of disciplinary problems, and to give the students actual experience in democratic living. No pattern of student opinion developed on this question.

#### Best Features of Student Court

Administrators. In regard to the best features of the student court, one of the administrators stated that the court uses known student leaders to apply penalties for violations of school rules. A second administrator believed the best features of the court included the following: (1) it presents an opportunity for students to be heard; (2) it presents an opportunity for students to be judged by their peers; and (3) the membership of the court is elected by fellow students. The third administrator replied that the best feature is that an opportunity for leadership is presented to students who might not ordinarily get this chance.

The main point of agreement among the administrators interviewed was the value all saw in increased student participation in school government.

Teachers. Five of the faculty members did not know the best features of the student court. Two of the teachers mentioned the effectiveness of a student being judged by his peers as the best feature. Other replies included the following: students learn judicial responsibility; court personnel is virtually unchanged for the entire school year; judges operate almost independently; and students learn to work together as a unit to improve the school.

Students. On the part of the students interviewed, the most frequent response given (twenty-two times) was "I do not know." Seven students stated that the student judges were particularly capable in working together toward fitting the punishment to the offense. Four students believed that the best feature of the court was the equal representation on the court of all grade levels. Three students gave the following as the best feature of the court: (1) court procedures are modeled after adult courts; (2) students are judged by their peers; and (3) better disciplinary procedures result in fewer repeat offenses. Other replies included



the following: (1) all students are eligible for court membership; (2) the judges are chosen by the students; (3) the continuity of court personnel for the entire school year improves court efficiency; (4) the court is backed fully by the administration; (5) the faculty advisor and chief justice are very capable in the performance of their duties; and (6) the court relieves the disciplinary load on the advisors.

#### Changes in Student Court

Administrators. Two of the administrators indicated that they would recommend no changes in the student court at the present time. The third administrator replied that more importance should be given to the court and its function, a more private meeting place should be found which would lend dignity to the court, court proceedings might be published, and actual follow-up on all cases and penalties must be carefully done.

Teachers. Nine of the ten faculty members (ninety per cent) stated that they could not recommend any changes in the student court because they were not well enough informed about the functions of the court to make any such recommendations. One of the faculty members (ten per cent) mentioned the following suggestions for changes in the student court: (1) the limits of the

authority of the student court should be more carefully defined; (2) the method by which the chief justice is selected should be changed; and (3) more school time should be provided for the court's sessions, if the court deems it essential.

Students. Eighteen of the students, or thirty-eight per cent, responded that they did not have enough knowledge of the student court to offer any recommendations for changes in the court. Fifteen of the students (thirty-one per cent) definitely would not make any changes in the student court as it existed. The remainder of the student responses were highly individualistic. The following recommendations were stated by two students each: (1) the chief justice should always be a boy; (2) more publicity might be given in the school paper to the student court by reviewing cases; (3) court sessions should be held after school because of the inconvenience of early morning meetings for many students; and (4) the court should deal with more important offenses. Other replies included the following: (1) a set table of punishments should be employed for specific offenses; (2) judges should be better informed about their duties before their term begins; (3) court should be held in a more private meeting place; and (4) the chief justice

should be elected by the student council and then serve for the remainder of his high school career.

#### Conduct of Student Monitors

Administrators. All three administrators approved of the conduct of the student monitors in the performance of their duties and believed that the monitors sought to be fair and equitable in the enforcement of school rules and deserved the full backing of the school administration.

Teachers. Seven of the ten teachers stated that they approved of the conduct of the student monitors. Three of the faculty members did not approve of the conduct of the student monitors. One teacher stated that the monitors are too inconsistent in their enforcement of school rules. Another believed that the monitors are swayed too much by student pressure. A third faculty member believed that the monitors are not strict enough in the enforcement of school rules.

Students. From the point of view of the students interviewed, twenty-two of them, or forty-six per cent, approved of the conduct of the student monitors in the performance of their set duties. Twelve of the students, or twenty-five per cent, stated that the monitors were not strict enough in the enforcement of school rules. That is, they should issue more court summonses. Six

of the students (twelve and one-half per cent) replied that the monitors tend to show favoritism toward their own friends when performing their duties. Three students, or six and one-fourth per cent, responded that the monitors do not carry out their duties faithfully. Three others (six and one-fourth per cent) believed that some monitors do not set a good example for the rest of the student body. Two students, or four per cent, admitted that they did not know about the conduct of the student monitors.

In contrast to the administrators and faculty members, therefore, fifty per cent of the students definitely did not approve of the conduct of the student monitors, forty six per cent of the students did approve, and four per cent did not know about the behavior of the student monitors in the performance of their duties.

#### Student Court Case Procedures

Administrators. All three administrators approved of the manner in which student court cases are conducted. Even from those offenders who have drawn the most stringent penalties, there has been no objection to the student court procedures in handling court cases.

Teachers. Six of the faculty members did not know the manner in which student court cases are conducted so they could not respond intelligently to this question.

Three teachers definitely approved of student court case procedures. One faculty member did not approve of the manner in which student court cases are conducted because the court should use more care in the handling of cases with more seriousness prevalent at all times.

Students. On the part of the students, twenty-six did not know about the manner in which student court cases are conducted. These students did not state an opinion on this question. On the other hand, twenty-two stated that they did approve of the way in which student court cases are conducted.

Therefore, although all the administrators approved of the manner in which student court cases are conducted, the majority of the teachers and students would not venture an opinion on this question because of lack of knowledge of student court procedures.

#### Student Body's Understanding of Student Court

Administrators. The three administrators agreed that the court is generally not understood by the student body.

Teachers. Seven of the faculty members, or seventy per cent, stated that the court is generally not understood by the student body. Three teachers, or thirty per cent, believed the court is understood by the student body.

Students. Thirty-three of the students, or sixty-nine per cent, responded that the court is generally not understood by the student body. Fifteen of the students, or thirty-one per cent, said that the court is understood by the student body.

Thus, the majority of administrators, teachers, and students believed that the student court is not generally understood by the student body.

#### Faculty's Understanding of Student Court

Administrators. The three administrators responded that the court is generally not understood by the faculty.

Teachers. Six of the teachers believed that the court is generally not understood by the faculty. Two teachers stated that the court is understood by the faculty. Two teachers were undecided on this question.

Students. Thirty of the students, or sixty-two per cent, stated that the court is generally understood by the faculty. Ten students, or twenty per cent, stated that the court is not understood by the faculty.

Eight students, or eighteen per cent, were undecided on this question.

Although all of the administrators and the majority of the faculty members believed that the student court is

generally not understood by the faculty, the majority of the students stated that the student court is generally understood by the faculty.

#### Parents' Understanding of Student Court

Administrators. All three administrators believed that the court is not generally understood by the parents.

Teachers. With the exception of one teacher who was undecided on this question, all of the faculty members stated that the court is generally not understood by the parents.

Students. Forty students, or eighty-three per cent, stated that the court is generally not understood by the parents. Six of the students, or twelve and one-half per cent, believed that the court is generally understood by the parents. Two students, or four and one-half per cent, were undecided on this question.

An overwhelming majority of administrators, teachers, and students, therefore, stated that the student court is not generally understood by the parents.

#### Student Body's Acceptance of Student Court

Administrators. One of the administrators believed that the court is quite well accepted as an important part of the school program by the students. Another of the administrators stated that the court is not well accepted

as an important part of the school program by the students. The third administrator was undecided on this question.

Teachers. From the viewpoint of the faculty, five of the faculty members stated that the court is not well accepted as an important part of the school program by the student body. Four teachers responded that the court is well accepted by the students. One faculty member was undecided on this question.

Students. Twenty-nine of the students interviewed, or sixty-three per cent, did not believe that the court is well accepted by the student body. Nineteen students, or thirty-seven per cent, stated that the court is well accepted by the student body as an important part of the program.

All in all, there was no clear statement of opinion on this question on the part of both administrators and teachers. The majority of the students, however, did not believe that the student court is well accepted as an important part of the school program by the student body.

#### Faculty's Acceptance of Student Court

Administrators. Two of the administrators



responded that the faculty does accept the student court as being an important part of the school program. One administrator stated that the faculty does not accept the student court.

Teachers. The faculty members were evenly divided in their replies to this question. Five teachers stated that the faculty does accept the student court as an important part of the school program. Five teachers believed that the faculty does not accept the student court.

Students. Thirty-two of the students, or sixty-six and two-thirds per cent, believed that the court is accepted by the faculty as an important part of the school program. Thirteen of the students, or twenty-seven per cent, stated that the court is not accepted by the faculty. Three students, or six and one-third per cent, were undecided on this question.

Thus, whereas the faculty members were evenly divided on this question, the majority of administrators and students stated that the student court is accepted by the faculty as an important part of the school program.

#### Parents' Acceptance of Student Court

Administrators. One of the administrators replied that the student court is accepted by the parents as an

important part of the school program. Another administrator stated that the court is not accepted by the parents. The third administrator was undecided on this question.

Teachers. Six of the faculty members were undecided on this question. Four of the teachers stated that the student court is not accepted as an important part of the school program by the parents.

Students. Thirty-five students, or seventy-three per cent, stated that the court is not accepted by the parents as an important part of the school program. Ten students, or twenty-one per cent, believed that the court is accepted by the parents. Three students, or six per cent, were undecided on this question.

The administrators and faculty members did not indicate a clear-cut opinion on this question. The majority of the students, however, believed that the student court is not accepted as an important part of the school program by the parents.

None of the students interviewed had ever appeared before the student court to be tried for an offense.

#### IV. SUMMARY

In regard to the main purpose of the student court, the administrators, faculty, and students indicated no particular answer.

In regard to the "other" purposes of the student court, the administrators stated that the most important sub-purpose of the court was to give the students experience in administering discipline. The faculty members were in agreement with the administrators' opinion on this question. Student responses were highly individualistic and no pattern of student opinion developed on this question.

The administrators agreed that the best feature of the student court was that it resulted in increased student participation in school government. Most of the faculty members and many of the students did not know a best feature of the student court.

The majority of the administrators indicated that they would recommend no changes in the student court at this time. The overwhelming majority of the faculty members also could not recommend any changes in the student court because of a lack of knowledge about the activities of the court. Many of the students also

admitted not knowing enough about the court to offer any specific recommendations for changes in its organization.

The administrators all approved of the conduct of the student monitors in the performance of their duties. The majority of the teachers also approved of the student monitors. The majority of the students, however, did not approve of the manner in which student monitors conduct themselves.

In regard to the manner in which student court cases are conducted, all the administrators approved. The majority of the faculty members did not respond to this question because they did not have sufficient knowledge on this subject. Most of the students also did not state an opinion because they admitted not knowing enough about the conduct of student court cases.

All of the administrators and most of the faculty members and students agreed that the student court is not generally well understood by the student body. All of the administrators and most of the faculty members agreed that the student court is generally not understood by the faculty, but the majority of the students believed the faculty does understand the student court. All of the administrators and the majority of the faculty members and students agreed that the student court is generally

not understood by the parents.

The administrators and faculty members did not indicate a clear opinion on the question of whether the student court is accepted as an important part of the school program by the student body. Most of the students did not believe that the court is well accepted by the student body as being important. Most of the administrators and students stated that the student court is accepted by the faculty as an important part of the school program. The faculty members were evenly divided on this question.

The administrators and faculty members did not indicate a clear opinion as to whether or not the student court is accepted as an important part of the school program by the parents. Most of the students stated that the student court is not accepted by the parents as an important part of the school program.

## CHAPTER IV

### SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

#### I. STATEMENT OF PROBLEM

The purpose of this study was: (1) to give an overview of the development of the student court in American high schools to the present time; (2) to determine if there is a legal basis for student judging and the administering of justice through the student court; (3) to describe the history and background of the student court at Des Moines Technical High School; (4) to survey student, teacher, and administrator opinion of the student court at Des Moines Technical High School; and (5) to offer recommendations for improvement of the student court at Des Moines Technical High School.

#### II. PROCEDURE

A study of selected literature in the field of student government was made to trace the history of the student court in American high schools to the present time.

A study of school law sources was made in order to determine if there is a legal basis for student

judging and the administering of justice through the student court.

In order to obtain information on the history and background of the student court at Des Moines Technical High School, the Minutes of the Des Moines Technical High School Student Council, the Technician, the school newspaper, and the Engineer, the school yearbook, were examined. In addition to this, the principal, student council advisor, student court advisor, and former student court advisors were utilized in relating the history of the student court at Des Moines Technical High School.

A survey of student, faculty, and administrator opinion of the Des Moines Technical High School Student Court was made by interviewing selected members of Des Moines Technical High School.

### III. SUMMARY

The student court in American high schools began with the first instance of student participation in school government. The first student court was organized at the William Penn Charter School in 1777. Hartford public school, organized in 1852, offered the best example of the student court concept in the early history of American high schools since its organization was very

similar to that of a present-day student court. The student court movement reached its peak of prominence during the late 1920's and early 1930's and has been on the decline since then. Student courts are currently in disfavor with the National Association of Student Councils.

There is no specific legal basis for student judging and the administering of justice through the student court.

The history of the student court at Des Moines Technical High School began with the adoption of the first constitution in September of 1951. Since its beginning, the student court has had a number of faculty advisors and has continued to adapt itself to school changes in order to perform more effectively the purpose of the student court as stated in the constitution which is to "...improve student conduct in the halls, assemblies, and on the grounds, by democratic methods."

The administrators, teachers, and students indicated no particular main objective for the student court. The administrators and faculty members believed that the most important sub-purpose of the student court was to give the students experience in administering discipline, whereas no pattern of student opinion developed



on this question. Although the administrators agreed that the best feature of the student court was that it resulted in increased student participation in school government, most of the faculty members and students did not know the best features of the student court. Most of the administrators stated that they would recommend no changes in the student court. The majority of the faculty members and students could not offer any recommendations for changes. Whereas the majority of the teachers and all the administrators approved of the conduct of the student monitors, the majority of the students did not approve of the manner in which student monitors perform their duties. Although the majority of the faculty members and students did not respond to the question of the manner in which student court cases are conducted, all of the administrators approved of the conduct of court cases. Generally the faculty, students, and parents did not understand the student court. Teachers accepted the student court as an important part of the school program, but students and parents did not accept the student court as being important.

#### IV. CONCLUSIONS

On the basis of the findings of this study, the

following conclusions were formed:

1. The students and faculty at Des Moines Technical High School do not have a clear concept of the main purposes and objectives of the student court.
2. A lack of agreement on the part of the administration as to the purposes of the student court reduces understanding of its role in the overall program.
3. This lack of agreement and lack of understanding as to the purposes of the student court has resulted in an organization lacking impact and general acceptance by the school.
4. The chief values of the student court, as it is currently understood, are to give violators an opportunity to be heard and to be judged by their peers.
5. Although the administrators approve of the manner in which student court cases are conducted, teachers and students are not well-informed on court procedures.
6. The student court is not understood by the student body and parents.

### III. RECOMMENDATIONS

On the basis of the findings and conclusions of the study, the following recommendations were made:

1. That a clear understanding and agreement be reached by the administration, faculty, and student body as to the purposes and objectives of the Des Moines Technical High School Student Court.
2. That plans be laid for the implementation of the student court program based upon the agreed purposes and objectives.
3. That the student monitor system be re-evaluated for the purpose of improving its function.
4. Based upon the findings of a re-evaluation of the entire student court program, greater school-wide publicity should be given to the activities of the student court for the purpose of improving its functions by obtaining greater understanding and acceptance on the part of the students and faculty.

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## APPENDICES

## APPENDIX A

### DES MOINES TECHNICAL HIGH SCHOOL STUDENT COURT CONSTITUTION

SEPTEMBER, 1951

#### ARTICLE I. Name and Purpose of Judicial Body

Section 1. The name of this judicial body shall be the Des Moines Technical High School Student Court.

Section 2. The purpose of this Court shall be to improve student conduct in the halls, assemblies, and on the grounds, by democratic methods.

Section 3. The Des Moines Technical High School Student Court shall hereafter in this document be called the Student Court.

#### ARTICLE II. Membership

Section 1. The personnel of the Court shall consist of five voting judges, one non-voting Chief Justice, (who is the Vice-President of the Student Council) one Court Clerk, (who is the defeated candidate for Secretary of Student Council) and a faculty advisor.

##### Section 2. Membership Prerequisites

1. Satisfactory citizenship record (to be determined by the office)
2. Must display leadership ability.
3. Average grades with nothing below 3 during the previous semester.
4. One semester attendance at this school immediately preceding the present.

Section 3. The judges shall be selected in the following manner.

1. The Executive Committee of the Student Council shall nominate fourteen candidates from the student body at large, the names of these nominees to be checked for eligibility.



2. On a date set by the President, the Council shall vote by secret ballot. The five candidates receiving the highest number of votes shall be elected judges and the candidates receiving the sixth and seventh highest number of votes shall serve as alternates in the absence of the regular judges.

Section 4. The advisor shall be selected in the following manner.

1. The Student Court shall nominate five candidates at the fifth from the last meeting of the Spring Semester. The three names receiving the highest number of votes shall be taken to the home rooms to be voted upon. At the fourth from the last meeting the Council shall vote (one vote per home room) and the faculty member receiving the highest number of votes shall be the advisor and the faculty member receiving the second highest number of votes shall serve as alternate in the absence of the regular advisor.

### ARTICLE III. Duties of Judges, Chief Justice, and Advisor

Section 1. The duties of the Judges shall be to hear the cases brought before them; to weigh the evidence pro and con; to decide upon the guilt or innocence of the defendant; and to decide upon an appropriate punishment, if any.

Section 2. The duties of the Chief Justice shall be that of moderator of the proceedings. He shall call the Court to order, initiate proceedings, rule on points of order, give the verdict for each case and pronounce sentence, if any, and in general maintain the dignity and honor of the Court.

Section 3. The duties of the advisor shall be to aid the Student Council in preparing each new Student Court to hold session at the beginning of each school year; to supervise each Court session; to be available for unofficial advice for all parties concerned; and to act as liaison between the Principal's office and the Student Court.

#### ARTICLE IV. Meetings and Court Procedure

Section 1. The Student Court shall hold regular meetings one each week unless circumstances do not permit and then the advisor shall announce a substitute date for the meeting.

Section 2. Special meetings can be called by the Principal of the school, the Student Court advisor, or the Chief Justice of the Student Court.

Section 3. The meetings shall proceed as follows:

1. Call to order
2. Hearing of cases
  - a. Testimony for the prosecution - monitor.
  - b. Testimony for the defense - defendant.
  - c. Court recess to reach a verdict; defendant leaves the room.
  - d. Defendant is called in and the Chief Justice pronounces the verdict and sentence, if any.

#### ARTICLE V. Administering the Oath

Section 1. At the first meeting of the Student Court each semester, the advisor shall administer the following oath.

I, (your name), do solemnly swear that I will faithfully execute the office of (Justice, Chief Justice, or Clerk) and that without fear, favor, or hope of reward, I will to the best of my knowledge and ability administer justice according to the constitution of the Student Court. "So help me God."

#### ARTICLE VI. Amending the Constitution

Section 1. This constitution may be amended at any regular meeting of the Council by a two-thirds vote of the members present, provided there is a quorum, and provided that the proposed amendment has previously been submitted in writing to the Executive Committee and read by the President to the Council in a regular meeting.

## BY-LAWS

- ARTICLE I. Punishable offenses. The Student Court shall hear and try cases concerning:
1. Misconduct in assemblies.
  2. Unauthorized presence in the halls during classes.
  3. Running, playing tag, wrestling, etc., in the halls.
  4. Fighting in the halls or in the lunch room.
  5. Any breach of good conduct which directly affects the dignity of or honor of Des Moines Technical High School.
- ARTICLE II. Punishments. Punishments for any offense shall be decided upon by the judges without reference to any other case previously heard. The judges may consider suggestions for punishment by the faculty or Principal's Office, but are not bound by any suggestions from these sources.
- ARTICLE III. Monitors. Student monitors shall be appointed to the ultimate purpose of maintaining a studious, orderly, and safe atmosphere for Des Moines Technical High School students during their time at school.
1. All monitors shall be volunteers from the various study halls during the day.
  2. Monitors must be approved by the office in the manner of Student Council representatives.
  3. Monitors shall be on duty during their study hall period only, and shall continue their tenure for the entire semester.
  4. A badge shall be provided for each monitor while on duty.
  5. All monitors are considered to be on duty before and after school, during all lunch hours and all assemblies.
  6. When a monitor detects misconduct, he shall take the name or names of the offenders, issuing them a pass, or summons to the next session of the Student Court. A report of passes issued to offenders shall be provided to the Court prior to its convening.

7. Monitors shall be present at Student Court at the time the holders of his summons are acted upon. The monitor shall be deemed the prosecutor.

ARTICLE IV. Court records. The Court Clerk shall be responsible for the records of the Student Court.

1. Court records shall not be made available to anyone but the Chief Justice, Judges, Advisor, School Principal and Court Clerk.

Any faculty request for court records information must come through the Principal of the school.

2. A file system shall be kept by the Court Clerk to record simply the facts of each case, including the punishment, if any. This is for the use of the Judges in deciding punishment for repeating offenders.

ARTICLE V. The By-Laws may be amended and By-Laws added, by the same procedure as the Constitution.

## APPENDIX B

### DES MOINES TECHNICAL HIGH SCHOOL

#### STUDENT COURT CONSTITUTION

JUNE, 1963

#### ARTICLE I. Name and purpose of Judicial Body

- Section 1. The name of this judicial body shall be the Des Moines Technical High School Student Court.
- Section 2. The purpose of this Court shall be to improve student conduct in the halls, assemblies, and on the grounds, by democratic methods.
- Section 3. The Des Moines Technical High School Student Court shall hereafter in this document be called the Student Court.

#### ARTICLE II. Membership

- Section 1. The personnel of the Court shall consist of six voting judges, one non-voting (except in the event of a tie) Chief Justice, (who is the Vice-President of the Student Council) one Court Clerk, (who is the defeated candidate for Secretary of Student Council) and a faculty advisor.
- Section 2. Membership Prerequisites
  - 1. Satisfactory citizenship record (to be determined by the office).
  - 2. Must display leadership ability.
  - 3. Average grades with nothing below a 3 during the previous semester.
  - 4. One semester attendance at this school, immediately preceding the present (not to include Sophomore).
  - 5. Have a better than average knowledge of the Student Court Constitution and By-laws.
- Section 3. The judges shall be selected in the following manner:

1. The executive committee of the Student Council shall nominate two candidates for each vacancy created by the graduating seniors and resignations. Their names shall be checked for eligibility.
2. There shall be two tenth grade judges, two eleventh grade judges, two senior judges, and a Chief Justice.
3. The upper classmen who have not graduated or become in any way ineligible may remain judges so long as they remain eligible.
4. In a date set by the Council President the Council shall vote by secret ballot or open ballot as decided by the Council members. The candidates receiving the highest number of votes shall be elected to the office he was running for.
5. No provision in this constitution or By-Laws shall be construed as to change the position of the Council Vice-President as Chief Justice of the Court.
6. At no time shall there be more than six voting judges and one non-voting justice.

Section 4. The faculty advisor shall be appointed to the Student Court by the principal of the school.

### ARTICLE III. Duties of Judges, Chief Justice, and Advisor

Section 1. The duties of the judges shall be to hear the cases brought before them; to weigh the evidence pro and con; to decide upon the guilt or innocence of the defendant by a simple majority of the judges present and to decide upon an appropriate punishment, if any.

Section 2. The duties of the Chief Justice shall be that of moderator of the proceedings. He shall call the Court to order, initiate proceedings, rule on points of order, give the verdict for each case, pronounce sentence, if any, and in general maintain the dignity and honor of the Court.

Section 3. The duties of the advisor shall be to aid the Student Court to hold sessions at the

beginning of each school year, to supervise each Court session, to be available for unofficial advice for all parties concerned, and to act as liaison between the Principal's office and the Student Court.

#### ARTICLE IV. Sessions and Court Procedure

- Section 1. The Student Court shall hold regular sessions once each week unless circumstances do not permit and then the Advisor shall announce a substitute date for the court session.
- Section 2. Special sessions can be called by the Principal of the school, the Student Court advisor, or the Chief Justice of the Student Court.
- Section 3. The Court session shall proceed as follows:
  - 1. Call to order
  - 2. Hearing of cases
    - a. Testimony for the prosecution monitor and witness (es).
      - (1) After each prosecution witness, if the defense so desires, it may cross-examine.
    - b. Testimony for the defense defendant and witness (es).
      - (1) If the defendant so desires and does not defend himself and does enter a plea of not guilty, he may appoint a fellow student to act on his behalf as defense counsel providing the "fellow student" has no objection raised against him by the Court.
      - (2) After each defense witness if the prosecution so desires it may cross examine.
    - c. Court recess to reach a verdict; defendant leaves room.
    - d. Defendant is called in and the Chief Justice pronounces the verdict and sentence, if any.

#### ARTICLE V. Administering the Oath

Section 1. At the first meeting of the Student Court each semester the advisor shall administer the following oath to the Chief Justice who will then administer the oath to all other offices.

"I \_\_\_\_\_ do solemnly swear or affirm that I will faithfully execute the office of \_\_\_\_\_ and that without fear, favor, or hope of reward, I will do the best of my knowledge and ability to administer justice according to the Student Court Constitution and By-Laws. So help me God."

#### ARTICLE VI. Amending the Constitution

Section 1. This constitution may be amended at any regular meeting of the Council by a two-thirds vote of the members present, provided there is a forum, and provided that the proposed amendments have previously been submitted in writing to the Executive Committee and read by the President to the Council in a regular meeting.

#### BY-LAWS

ARTICLE I. Punishable offenses. The court shall hear and try cases concerning:

1. Misconduct in assemblies.
2. Unauthorized presence in the halls during classes, or at any time in violation of school rules.
3. Running, playing tag, wrestling, etc., in the halls.
4. Fighting in the school or on school grounds.
5. Any breach of school, Council rules, or Student Court rule.
6. Contempt of Court.
7. If in the event a defendant does not show up in court session:
  - a. he shall be charged with contempt of court.
  - b. if he does not show up the second week, his name is to be given to the school Vice-Principal or girl's advisor for further action.



- c. in the event of extenuating circumstances, the court may dismiss this charge.
- 8. It shall be deemed a punishable offense for a hall monitor to grant "special privileges" to a fellow student.

## ARTICLE II. Punishments

- Section 1. Punishments for any offense shall be decided upon by the judges without reference to any other previously heard cases. The judges may consider suggestions for punishments by the faculty or Principal's office, but are not bound by any suggestions from these sources.
- Section 2. The punishment, if any, must be reasonable and proper for the particular case.
- Section 3. In the event the defense is not satisfied with his trial he may appeal to the Student Council Executive Committee for a retrial.

## ARTICLE III. Monitors. Student Monitors shall be appointed to the ultimate purpose of maintaining a studious, orderly, and safe atmosphere for Des Moines Technical High School students during their time at school.

- 1. All monitors shall be volunteers from the various study halls during the day.
- 2. Monitors must be approved by the office in the manner of Council representatives.
- 3. A badge shall be provided for each monitor while on duty.
- 4. All monitors are considered to be on duty before and after school, during all lunch hours, and all assemblies as well as assigned study hall periods.
- 5. When a monitor detects misconduct, he shall take the name or names of the offender (s), issuing them a pass, or summons to the next session of the Student Court. A report of passes issued to offenders shall be provided to the Court prior to its convening.
- 6. Monitors shall be present at Student Court at the time the holders of his summons are acted upon.

- ARTICLE IV. Court Records. The Court shall be responsible for the records of the Student Court.
1. Court records shall be available to anyone with a just need for them if the individual has the tentative approval of the Chief Justice, faculty advisor, the school principal, or the Court Clerk.
  2. The court proceedings shall be published in a weekly bulletin for the purpose of serving as a deterrent to potential offenders of the law.
  3. A file system shall be kept by the Court Clerk to record simply the facts of each case, including punishment, if any. This is for the use of the judges in deciding punishment for repeating offenders.
- ARTICLE V. The By-Laws may be amended and added by the same procedure as the Constitution.

## APPENDIX C

### INTERVIEW QUESTIONNAIRE

#### DES MOINES TECHNICAL HIGH SCHOOL STUDENT COURT

##### Purpose:

to determine student, faculty, and administrator opinion of the Des Moines Technical High School Student Court as a basis for improvement of this organization.

1. What do you believe the main purpose of the student court to be?
2. What do you believe the other purposes of the student court to be?
3. What do you think are the best features of the student court?
4. Would you recommend any changes in the student court? If so, what?
5. Do you approve of the conduct of the student monitors in the performance of their duties? If not, why?
6. Do you approve of the manner in which student court cases are conducted? If not, why?
- 7A. Do you think that the student court is generally understood by:
  - (1) the student body?
  - (2) the faculty?
  - (3) the parents?
- B. Do you think that the student court is accepted as an important part of the school program by:
  - (1) the student body?
  - (2) the faculty?
  - (3) the parents?
8. To students only: Have you ever appeared before the student court to be tried for an offense?